IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE P.N.RAVINDRAN

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

WP(C).No. 20306 of 2007(S)

PETITIONER:

K. KURIAN ABRAHAM,
AGED 57 YEARS,
S/O. LATE K.K.ABRAHAM,
KODIYATTUPURACKAL,
NEAR PUSHPAGIRI MEDICAL COLLEGE,
THIRUVALLA.

BY ADV. SRI.SANTHOSH MATHEW
SRI.SATHISH NINAN

RESPONDENTS:
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1. THE DISTRICT COLLECTOR,
PATHANAMTHITTA.

2. THE REVENUE DIVISIONAL OFFICER,
THIRUVALLA.

3. THE THIRUVALLA MUNICIPALITY,
THIRUVALLA,
REPRESENTED BY ITS SECRETARY.

4. THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, MAKKAMKUNNU,
PATHANAMTHITTA.

R1 & R2 BY GOVERNMENT PLEADER SRI.M.P.SREEKRISHNAN
R4 BY SRI.M.K.CHANDRAMOHAN DAS, SC, POLLUTION CONTROL BOARD
SMT.K.K.THULASY BHAI,SC,POLLUTION CONTROL BOARD
R3 BY ADV.SRI.S.SUBHASH CHAND

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & P.N.RAVINDRAN, J.

W.P.(C) No.20306 of 2007

Dated, this the 14th day of December, 2007

JUDGMENT

H.L.Dattu, C.J.

Petitioner is a resident of Thiruvalla. In this petition filed under Article 226 of the Constitution of India, the petitioner has brought to our notice that the Thiruvalla Municipality is not taking effective steps for proper removal of the solid waste from the municipal area. Taking note of the prayer made in the writ petition we had issued notices to the respondents.

2. The contesting respondent has filed a detailed counter affidavit before this Court. In that they have stated that they shall take all effective steps to remove the solid waste from the municipal area and that they will keep the municipal area as clean as possible.

3. In view of the undertaking given by them in the counter affidavit, in our opinion, for the present we need not have to issue further orders in this writ petition.

4. Therefore, we pass the following:

ORDER

i) Writ petition is disposed of.

ii) The counter affidavit filed by the third respondent is placed on record.

iii) We only direct the Thiruvalla Municipality to take all effective steps for removal of the solid waste in the municipal area in accordance with the

various provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 as early as possible.

5. With these observations and directions the writ petition is disposed of. Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(P.N.RAVINDRAN)
JUDGE

vns